

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARON DREVON DAVIS,
Plaintiff,

v.

EL HOGAR MENTAL HEALTH &
COMMUNITY SERVICES,
Defendant.

No. 2:23-cv-1530-DJC-KJN PS

ORDER

(ECF No. 9, 11.)

On September 27, 2023, the Magistrate Judge filed findings and recommendations (ECF No. 11), which were served on the parties, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. On September 29, 2023, Plaintiff filed objections to the findings and recommendations (ECF No. 12), which have been considered by the Court.

This Court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981); see also *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the matter on the applicable law. See *Orand v. United States*,

1 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are
2 reviewed de novo. See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th
3 Cir. 1983).

4 The Court has reviewed the applicable legal standards and, good cause
5 appearing, concludes that it is appropriate to adopt the findings and
6 recommendations in full. Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations (ECF No. 11) are ADOPTED IN FULL;
- 8 2. Plaintiff's motion for a temporary restraining order (ECF No. 9) is DENIED;
- 9 3. This action is DISMISSED WITH PREJUDICE; and
- 10 4. The Clerk of the Court is directed to CLOSE this case.

11
12 IT IS SO ORDERED.

13 Dated: November 1, 2023


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE